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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q86324

Noboru YAMAJI, *et al.*

Appln. No.: 10/525,015

Group Art Unit: not yet assigned

Confirmation No.: not yet assigned

Examiner: not yet assigned

Filed: February 17, 2005

For: AN AGENT FOR INHIBITING ARTICULAR CARTILAGE EXTRACELLULAR
MATRIX DEGRADATION

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents listed on the attached PTO/SB/08 A & B (modified) form, which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/525,015

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the communication indicating the degree of relevance found by the foreign patent office. Applicants also submit the following explanations.


Both of US 2003/0114525 and US 2003/0082666 correspond to WO 02/055017. US 5,853,623 corresponds to WO 95/13289. Both of US 2003/018062 and US 6,552,065 correspond to document number WO 02/22577. EP 1 302 476 corresponds to WO 02/06307.

English abstracts are provided for JP-A-2001-354694 and JP-A-2001-348340. An English translation is provided for the article "Destruction of extracellular matrix in rheumatoid arthritis joints."

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,


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Date: June 24, 2005

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

2

complete if Known

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Filing Date	February 17, 2005
First Named Inventor	Noboru YAMAJI
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	Q86324

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 2003/0114525	A1	06/19/2003	Kammer et al.
		US 2003/0082666	A1	05/01/2003	Kammer et al.
		US 5,853,623	A	12/29/1998	Montana et al.
		US 2003/0018062	A1	01/23/2003	Remiszewski et al.
		US 6,552,065	B2	04/22/2003	Remiszewski et al.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	02/055017	A2	07/18/2002	Wake Forest University	English
		WO	02/06307	A1	01/24/2002	Fujisawa Pharmaceutical Co., Ltd.	Partial Abstract
		EP	1 302 476	A1	04/16/2003	Fujisawa Pharmaceutical Co., Ltd.	English
		WO	95/13289	A1	05/18/1995	Chiroscience Ltd.	English
		JP	2001-354694	A	12/25/2001	Yamanouchi Pharmaceutical Co., Ltd.	With English abstract
		JP	2001-348340	A	12/18/2001	Yamanouchi Pharmaceutical Co., Ltd.	With English abstract
		WO	02/22577	A2	03/21/2002	Novartis-Erfindungen	English

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Naoki Ishiguro, "Mansei Kansetsu Rheumatism to Saibogai Matrix Hakai," Igaku no Aymui, (1996), Vol. 177, No. 1, pages 81-85	With English translation
		Akiko Saito et al., "A synthetic inhibitor of histone deacetylase, MS-27-275, with marked in vivo antitumor activity against human tumors" (1999) Proc. Natl. Acad. Sci. USA, Vol. 95, No. 8, pp. 4592-4597	
		Hidenori Nakajima et al., "FR901228, a Potent Antitumor Antibiotic, is a Novel Histone Deacetylase Inhibitor" (1998) Exp. Cells Res., Vol. 241, No. 1, pp. 126-133	
		Victoria M. Richon et al., "A class of hybrid polar inducers of transformed cell differentiation inhibits histone deacetylases" (1998), Vol. 95, No. 6, pp. 3003-3007	
		Jeung-Whan Han et al., "Apicidin, a Histone Deacetylase Inhibitor, Inhibits Proliferation of Tumor Cells via induction of p21 ^{WAF1/CIP1} and Geisolin ^{1b} " (2000), Vol. 60., No. 21, pp. 6068-6074	
		Raymond P. Warrell Jr., et al., "Therapeutic Targeting of Transcription in Acute Promyelocytic Leukemia by Use of an Inhibitor of Histone Deacetylase" (1998) J. Natl. Cancer Inst., Vol. 90, No. 21, pp. 1621-1625	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.

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Sheet	2	of	2
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FOREIGN PATENT DOCUMENTS

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Ricky W. Johnstone, "HISTONE-DEACETYLASE INHIBITORS: NOVEL DRUGS FOR THE TREATMENT OF CANCER" (2002) Natl. Rev. Drug Discov., Vol. 1, NO. 4, pp. 287-299	
		Martin Gottlicher et al., "Valproic acid defines a novel class of HDAC inhibitors inducing differentiation of transformed cells" (2001) EMBO J., Vol. 20, No. 24, pp. 6969-6978	
		International Search Report dated November 18, 2003	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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